

MAY 20 2008

App# No. 10/576430  
Reply to Action dated 2/27/08  
Page 9

**REMARKS**

Minor corrections have been made to the specification. Claims 2, 4-5, and 7-10 have been amended. Claims 1, 3, 6, and 11-15 have been canceled. Claims 16-17 have been added. Claims 2, 4-5, 7-10 and 16-17 remain pending. Reconsideration and reexamination of the application, as amended, are requested.

The Examiner objected to the specification because of the listing of reference numerals. The specification has been appropriately corrected.

The Examiner rejected claims 1-12, 14, and 15 under 35 USC 112, second paragraph, as being indefinite. New claims have been added, and the examined claims were amended or canceled. The rejection was considered. It is submitted that the rejection is no longer appropriate.

The Examiner rejected claims 1-6 and 10-12 under 35 USC 103(a) as being obvious on consideration of Pfuhler (DE1658522) in view of Hahne (US patent 4,641,993).

Pfuhler discloses a drainage channel member having an elongated slot as an opening leading to an elongated central channel with hemispherical ends. The upper surface of the drainage channel member is slanted from the side edges to the slot in the middle.

Hahne is directed to a highway barrier having an internal duct. The internal duct has a frusto-conical shape with the larger end being at an end face and the smaller end being centrally located to meet the smaller end from the other frusto-conically shaped channel extending from the other end face. The highway barrier includes drainage scuppers 28.

Independent claims 1 and 12 have been canceled and replaced by independent claims 16-17. Applicant submits that claims 16-17 and the remaining dependent claims which have now been amended to depend from them are not obvious in view of the cited references.

Among other limitations, claim 16 requires the ceiling boundary surface to be parallel to the upper surface. The molded bodies of the drainage channel of claim 16 have inlet openings in the upper surface. The upper surface has edges extending between the end faces. The upper surface further includes elevated sections outside the inlet

Appl No. 10/576430  
Reply to Action dated 2/27/08  
Page 10

openings and near the edges of the upper surface with rib regions between the elevated sections. This structure provides for the elevated sections to tolerate loads from vehicles better than the rib regions between the elevated sections. Further, water flowing from one side over an elevated section of the channel is prevented from overflowing an opposite side before entering the inlet openings. In this way, drainage action of the drainage channel is improved.

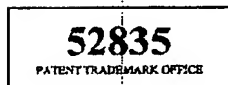
Neither of the references disclose the indicated limitations discussed above. Pfuhler has an upper surface which inclines downwardly from each side toward a slot in the middle of the drainage channel. Hahne is a highway barrier which does not disclose an applicable upper surface. It is submitted that claims 16 and the claims which depend from it are non-obvious over these references.

Claim 17 is directed to a drainage channel having an upper surface with a plurality of inlet openings with either lateral or longitudinal ribs separating one inlet opening from another. Further, the inlet openings have linear or straight edges oriented substantially parallel with these longitudinal side edges of the upper surface. In this way, the cross sectional area of the inlet openings can be maximized while maintaining upper surface structure strength.

Pfuhler discloses a slot which runs from end to end in his channel. Hahne has no upper surface inlet openings because his disclosure is directed to a highway barrier. The structure claimed in claim 17 is not disclosed by the references. It is submitted that claim 17 and the claims which depend from it are non-obvious over these references.

Appl No. 10/576430  
Reply to Action dated 2/27/08  
Page 11

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration and reexamination are requested. Allowance of claims 2, 4-5, 7-10, 16, and 17 at an early date is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. 29,165, at (612)455-3802.



Dated: May 20, 2008

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.  
P.O. Box 2902  
Minneapolis, MN 55402-0902  
(612) 455-3800

By:

A handwritten signature in cursive script, appearing to read "Curtis B. Hamre".

Curtis B. Hamre  
Reg. No. 29,165  
CBH/tk